



Federal Register

**Monday,
May 14, 2001**

Part XLII

Railroad Retirement Board

Semiannual Regulatory Agenda

RAILROAD RETIREMENT BOARD (RRB)

RAILROAD RETIREMENT BOARD

20 CFR Ch. II

Semiannual Agenda of Regulations Under Development or Review

AGENCY: Railroad Retirement Board.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda contains lists of regulations that the Board is developing or proposes to develop in the next 12

months and regulations that are scheduled to be reviewed in that period.

ADDRESSES: 844 North Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, (312) 751-4945, FAX (312) 751-7102, TDD (312) 751-4701.

SUPPLEMENTARY INFORMATION: No Regulatory Plan entries were included

for this edition of the Railroad Retirement Board's semiannual regulatory agenda. Regulations that are routine in nature or pertain solely to internal agency management have not been included in the agenda.

By Authority of the Board.

Dated: February 22, 2001.

Beatrice Ezerski,
Secretary to the Board.

Railroad Retirement Board—Proposed Rule Stage

Sequence Number	Title	Regulation Identification Number
3875	Requests for Reconsideration and Appeals Within the Board	3220-AB03
3876	General Administration	3220-AB35
3877	Application for Annuity or Lump Sum	3220-AB46
3878	Assessment or Waiver of Interest, Penalties, and Administrative Costs With Respect to Collection of Certain Debts	3220-AB48

Railroad Retirement Board—Final Rule Stage

Sequence Number	Title	Regulation Identification Number
3879	Application for Annuity or Lump Sum	3220-AB45
3880	Freedom of Information Act Requests	3220-AB47
3881	Use of the Seal of the Railroad Retirement Board	3220-AB49

Railroad Retirement Board—Long-Term Actions

Sequence Number	Title	Regulation Identification Number
3882	Reduction and Non-Payment of Annuities by Reason of Work	3220-AA61
3883	Voluntary Quit	3220-AA75
3884	Determining Disability	3220-AA99
3885	Creditable Railroad Compensation	3220-AB23

Railroad Retirement Board—Completed Actions

Sequence Number	Title	Regulation Identification Number
3886	Finality of Decisions Regarding Unemployment and Sickness Insurance Benefits	3220-AB25
3887	Sickness Benefits	3220-AB44

RAILROAD RETIREMENT BOARD (RRB)

Proposed Rule Stage

3875. REQUESTS FOR RECONSIDERATION AND APPEALS WITHIN THE BOARD**Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231f(b)(5); 45 USC 231g; 45 USC 355**CFR Citation:** 20 CFR 260; 20 CFR 320**Legal Deadline:** None**Abstract:** The RRB is amending its regulations to provide for its field offices to make timeliness determinations on requests for reconsideration of decisions of the RRB's various adjudicating units.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611
Phone: 312 751-4945
TDD Phone: 312 751-4701
Fax: 312 751-7102**RIN:** 3220-AB03**3876. GENERAL ADMINISTRATION****Priority:** Info./Admin./Other**Legal Authority:** 45 USC 231f(b)(5); 45 USC 362(l)**CFR Citation:** 20 CFR 200**Legal Deadline:** None**Abstract:** The Board proposes to amend its regulations, which describe its organization and general course of operations to reflect recent reorganizations.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** None**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611
Phone: 312 751-4945
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Fax: 312 751-7102**RIN:** 3220-AB35**3877. APPLICATION FOR ANNUITY OR LUMP SUM****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231d; 45 USC 231f**CFR Citation:** 20 CFR 217.9; 20 CFR 217.30**Legal Deadline:** None**Abstract:** The Railroad Retirement Board amends sections 217.9 and 217.30 of its regulations to accept a spouse annuity application, when filed simultaneously with the railroad employee's application for a disability annuity, to be filed more than three months in advance of the earliest annuity beginning date.**Timetable:**

Action	Date	FR Cite
NPRM	08/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, RailroadRetirement Board, 844 North Rush Street, Chicago, IL 60611
Phone: 312 751-4945
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Fax: 312 751-7102**RIN:** 3220-AB46**3878. ASSESSMENT OR WAIVER OF INTEREST, PENALTIES, AND ADMINISTRATIVE COSTS WITH RESPECT TO COLLECTION OF CERTAIN DEBTS****Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231f(b)(5); 45 USC 362; 31 USC 3717**CFR Citation:** 20 CFR 200.7**Legal Deadline:** None**Abstract:** The Railroad Retirement Board amends its regulations to permit waiver of interest, penalties, and administrative costs in cases where a debt is being recovered by setoff from current annuities if the debt was not caused by fraud. This amendment will conform the regulation to current agency practice.**Timetable:**

Action	Date	FR Cite
NPRM	05/00/01	

Regulatory Flexibility Analysis Required: No**Small Entities Affected:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo, Assistant General Counsel, Railroad Retirement Board, 844 North Rush Street, Chicago, IL 60611
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RAILROAD RETIREMENT BOARD (RRB)

Final Rule Stage

3879. APPLICATION FOR ANNUITY OR LUMP SUM**Priority:** Substantive, Nonsignificant**Legal Authority:** 45 USC 231d; 45 USC 231f**CFR Citation:** 20 CFR 217.8**Legal Deadline:** None**Abstract:** The Railroad Retirement Board amends its regulations to accept an application filed for a divorced spouse benefit as an application for a spouse benefit if the parties remarry within six months of the date of divorce.**Timetable:**

Action	Date	FR Cite
NPRM	05/11/00	65 FR 30366
NPRM Comment Period End	07/10/00	
Final Action	05/00/01	

Regulatory Flexibility Analysis Required: No

RRB

Final Rule Stage

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB45

3880. FREEDOM OF INFORMATION ACT REQUESTS

Priority: Substantive, Nonsignificant

Legal Authority: 45 USC 231f(b)(5); 45 USC 362; 5 USC 552

CFR Citation: 20 CFR 200.4

Legal Deadline: None

Abstract: The Railroad Retirement Board amends 20 CFR 200.4 to direct all Freedom of Information Act requests to the Board's General Counsel, and to extend the time within which responses may be made from 10 to 20 working days as provided by the Freedom of Information Act.

Timetable:

Action	Date	FR Cite
Direct Final Rule	07/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB47

3881. USE OF THE SEAL OF THE RAILROAD RETIREMENT BOARD

Priority: Info./Admin./Other

Legal Authority: 45 USC 231f; 18 USC 701

CFR Citation: 20 CFR 369

Legal Deadline: None

Abstract: The Railroad Retirement Board adds 20 CFR 369 to its regulations. This section explains the procedures that must be followed to obtain written authorization for limited use of the Railroad Retirement Board's seal.

Timetable:

Action	Date	FR Cite
NPRM	01/03/01	66 FR 314
NPRM Comment Period End	03/05/01	
Final Action	06/00/01	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: Federal

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RIN: 3220-AB49

RAILROAD RETIREMENT BOARD (RRB)

Long-Term Actions

3882. REDUCTION AND NON-PAYMENT OF ANNUITIES BY REASON OF WORK

Priority: Other Significant

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 230

Legal Deadline: None

Abstract: The Railroad Retirement Board amends 20 CFR part 230 to explain how annuity deductions on account of work are assessed in accordance with current law.

Timetable:

Action	Date	FR Cite
NPRM	08/16/95	60 FR 42482
NPRM Comment Period End	09/25/95	60 FR 43999
Final Action	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3220-AA61

3883. VOLUNTARY QUIT

Priority: Substantive, Nonsignificant

Legal Authority: 45 USC 362(l)

CFR Citation: 20 CFR 328

Legal Deadline: None

Abstract: A new part 328 is added to explain when unemployment insurance benefits are not payable because the employee voluntarily left employment.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: No

Small Entities Affected: No

Government Levels Affected: None

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RIN: 3220-AA75

3884. DETERMINING DISABILITY

Priority: Substantive, Nonsignificant

Legal Authority: 45 USC 231a; 45 USC 231f

CFR Citation: 20 CFR 220.114

Legal Deadline: None

Abstract: Section 114 of part 220 is being amended to expand the Board's description of the manner in which symptoms, including pain, are evaluated for purposes of determining disability.

Timetable:

Action	Date	FR Cite
NPRM	09/11/95	60 FR 47122

RRB

Long-Term Actions

Action	Date	FR Cite
NPRM Comment Period End	11/13/95	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** None

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RIN: 3220-AA99**3885. CREDITABLE RAILROAD COMPENSATION****Priority:** Other Significant**Legal Authority:** 45 USC 231f**CFR Citation:** 20 CFR 211.3**Legal Deadline:** None

Abstract: The RRB amends its regulations regarding the creditability of pay for time lost to prohibit the crediting of pay for time lost beyond the date of a judgment or settlement, or in the absence of a judgment or settlement, beyond the date of payment. The Labor Member of the RRB dissents from this proposal and recommends allowing the crediting of pay for time lost in these circumstances when the accompanying railroad retirement taxes are paid on the compensation.

Timetable:

Action	Date	FR Cite
NPRM	12/04/97	62 FR 61488
NPRM Comment Period End	02/02/98	
Final Action	To Be Determined	

Regulatory Flexibility Analysis**Required:** No**Small Entities Affected:** No**Government Levels Affected:** Federal

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RIN: 3220-AB23

RAILROAD RETIREMENT BOARD (RRB)

Completed Actions

3886. FINALITY OF DECISIONS REGARDING UNEMPLOYMENT AND SICKNESS INSURANCE BENEFITS**Priority:** Substantive, Nonsignificant**CFR Citation:** 20 CFR 349**Completed:**

Reason	Date	FR Cite
Final Action	11/06/00	65 FR 66499
Final Action Effective	11/06/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal**Agency Contact:** Marguerite P. Dadabo

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RIN: 3220-AB25**3887. SICKNESS BENEFITS****Priority:** Substantive, Nonsignificant**CFR Citation:** 20 CFR 335.3**Completed:**

Reason	Date	FR Cite
Final Action	11/06/00	65 FR 66498
Final Action Effective	11/06/00	

Regulatory Flexibility Analysis**Required:** No**Government Levels Affected:** Federal

Agency Contact: Marguerite P. Dadabo
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RIN: 3220-AB44

[FR Doc. 01-5929 Filed 05-11-01; 8:45 am]

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